

Videotaped Interview of: KATHRYN SPENCER

35

13:10 1 your clothes on or did they come off?

13:11 2 KATHRYN SPENCER: (Sighs).

13:11 3 DEANNE SPENCER: Squeeze my hand.

13:11 4 JAMES PETERS: Oh, you're doing so good so
13:11 5 far.

13:11 6 Okay. Let me just ask you and you tell me.

13:11 7 Did your clothes stay on? You can nod yes or no.

13:11 8 KATHRYN SPENCER: (Nodding side to side).

13:11 9 JAMES PETERS: No, okay. Did they come off?

13:11 10 KATHRYN SPENCER: (Nodding up and down).

13:11 11 JAMES PETERS: Nodding your head yes.

13:11 12 KATHRYN SPENCER: (Nodding up and down).

13:11 13 JAMES PETERS: Who took them off?

13:11 14 KATHRYN SPENCER: (Points to herself).

13:11 15 JAMES PETERS: You took them off yourself?

13:11 16 KATHRYN SPENCER: (Nodding up and down).

13:11 17 JAMES PETERS: It would be a lot easier if
13:11 18 you would say words rather than point. But if you
13:11 19 have to point, that's okay too.

13:11 20 Did somebody tell you to take them off?

13:12 21 KATHRYN SPENCER: (Nodding up and down).

13:12 22 JAMES PETERS: Is that a yes?

13:12 23 KATHRYN SPENCER: (Nodding up and down).

13:12 24 JAMES PETERS: Okay. Who told you to take

Videotaped Interview of: KATHRYN SPENCER

36

13:12 1 them off? Are you pointing? You can point if you
13:12 2 want to.

13:12 3 DeANNE SPENCER: Which one? Who told you to
13:12 4 take your clothes off?

13:12 5 KATHRYN SPENCER: (Pointing to doll).

13:12 6 JAMES PETERS: Okay. This one right here
13:12 7 (indicating)?

13:12 8 KATHRYN SPENCER: (Nodding up and down).

13:12 9 JAMES PETERS: Is that your dad?

13:12 10 KATHRYN SPENCER: (Places head on DeAnne
13:12 11 Spencer).

13:12 12 JAMES PETERS: Is that a yes or a no?

13:12 13 DeANNE SPENCER: Okay. Come on. This is
13:12 14 getting -- turn around. Take my hand. It's okay.
13:12 15 Take my hand.

13:12 16 JAMES PETERS: Oh, you're doing so good. You
13:12 17 really are.

13:12 18 Okay. Now, underneath your dad's robe, did
13:13 19 he have anything on?

13:13 20 KATHRYN SPENCER: (Nodding side to side).

13:13 21 JAMES PETERS: Any underpants?

13:13 22 KATHRYN SPENCER: (Nodding side to side).

13:13 23 JAMES PETERS: Any T-shirts?

13:13 24 KATHRYN SPENCER: (Nodding side to side).

Videotaped Interview of: KATHRYN SPENCER.

37

- 13:13 1 JAMES PETERS: Nothing?
- 13:13 2 KATHRYN SPENCER: (Nodding side to side).
- 13:13 3 JAMES PETERS: Okay. Let's see. You know
- 13:13 4 how boys' wieners hang down like this usually
- 13:13 5 (indicating with finger)?
- 13:13 6 KATHRYN SPENCER: (Nodding up and down).
- 13:13 7 JAMES PETERS: Is that the way your dad's
- 13:13 8 was?
- 13:13 9 KATHRYN SPENCER: (Nodding up and down).
- 13:13 10 JAMES PETERS: Is that a yes?
- 13:13 11 KATHRYN SPENCER: (Nodding up and down).
- 13:13 12 JAMES PETERS: Okay. Did it always stay like
- 13:13 13 that or did it change some way?
- 13:13 14 DeANNE SPENCER: Can you talk — can you show
- 13:13 15 us with the doll?
- 13:13 16 KATHRYN SPENCER: Uh-uh.
- 13:13 17 JAMES PETERS: How about with my finger?
- 13:13 18 That's just an old finger. Or show me with your
- 13:13 19 finger.
- 13:13 20 KATHRYN SPENCER: No.
- 13:13 21 DeANNE SPENCER: How about mine?
- 13:13 22 KATHRYN SPENCER: No.
- 13:13 23 JAMES PETERS: Well, can you tell me if it
- 13:13 24 changed?

Videotaped Interview of: KATHRYN SPENCER

38

- 13:13 1 KATHRYN SPENCER: (Nodding side to side).
- 13:13 2 JAMES PETERS: Did it always hang just down
- 13:13 3 or did it hang some other way?
- 13:14 4 DeANNE SPENCER: Use the doll's arm. Can you
- 13:14 5 do that? Come on, Sweetie. Hmmm?
- 13:14 6 JAMES PETERS: Can you show me with the girl
- 13:14 7 -- with the little dolly's arm what happened?
- 13:14 8 KATHRYN SPENCER: (Nodding side to side).
- 13:14 9 JAMES PETERS: Okay. Let's see. You told me
- 13:14 10 earlier that he touched you. Can you show me how.
- 13:14 11 KATHRYN SPENCER: (Nodding side to side).
- 13:14 12 DeANNE SPENCER: Just put the dolls the way
- 13:14 13 they -- they way it happened, okay?
- 13:14 14 KATHRYN SPENCER: (Nodding side to side).
- 13:14 15 DeANNE SPENCER: Use my hand to put the
- 13:14 16 dolls.
- 13:14 17 KATHRYN SPENCER: (Nodding side to side).
- 13:14 18 DeANNE SPENCER: We need your help. You are
- 13:14 19 doing so good. You are being so brave.
- 13:14 20 JAMES PETERS: You are being real patient
- 13:14 21 with us, too.
- 13:15 22 DeANNE SPENCER: Uh-huh. Sometimes it's hard
- 13:15 23 to be patient with the dolls, huh?
- 13:15 24 JAMES PETERS: I'll bet.

Videotaped Interview of: KATHRYN SPENCER

39

- 13:15 1 KATHRYN SPENCER: (Yawning).
- 13:15 2 JAMES PETERS: Are you getting sleepy?
- 13:15 3 KATHRYN SPENCER: (Nodding up and down).
- 13:15 4 DEANNE SPENCER: Let's get (inaudible) -- you
13:15 5 can do it.
- 13:15 6 JAMES PETERS: I think I can; I think I can;
13:15 7 I think I can; I think I can. I think you can; I
13:15 8 think you can; I think you can.
- 13:15 9 It's so important for you to show us now
13:15 10 because Sharon can't go tell the judge -- we talked
13:15 11 about the judge yesterday when we went into the
13:15 12 courtroom. Remember going into the courtroom?
- 13:15 13 KATHRYN SPENCER: (Nodding up and down).
- 13:15 14 JAMES PETERS: Sharon can't tell the judge
13:15 15 what happened. Sharon can't tell your daddy to stop
13:15 16 doing anything, but you can.
- 13:15 17 KATHRYN SPENCER: (Nodding up and down).
- 13:15 18 JAMES PETERS: You can.
- 13:15 19 KATHRYN SPENCER: (Nodding side to side).
- 13:15 20 JAMES PETERS: Because they'll think that
13:15 21 maybe Sharon made a mistake or Sharon --
- 13:15 22 KATHRYN SPENCER: (Nodding side to side).
- 13:16 23 JAMES PETERS: -- or Sharon made it up or
13:16 24 something.

Videotaped Interview of: KATHRYN SPENCER

40

13:16 1 KATHRYN SPENCER: (Nodding side to side).

13:16 2 DEANNE SPENCER: That's why we need you to

13:16 3 just show us one more time.

13:16 4 You want to sit up and (inaudible) --

13:16 5 KATHRYN SPENCER: (Nodding side to side).

13:16 6 JAMES PETERS: Do you want Jeff to leave?

13:16 7 KATHRYN SPENCER: (Nodding side to side).

13:16 8 JAMES PETERS: Jeff's the man standing right

13:16 9 over there, right?

13:16 10 DEANNE SPENCER: Do you want me to leave?

13:16 11 If he goes out, can you show us?

13:16 12 KATHRYN SPENCER: (Nodding side to side).

13:16 13 DEANNE SPENCER: Okay. Then let's get Ray

13:16 14 one more time. Squeeze my hand.

13:16 15 KATHRYN SPENCER: (Nodding side to side).

13:16 16 DEANNE SPENCER: Come on. You can do this.

13:16 17 KATHRYN SPENCER: Uh-uh.

13:16 18 DEANNE SPENCER: Then we will have the rest

13:16 19 of the day together, remember? Hmmm?

13:16 20 JAMES PETERS: You've done so good so far.

13:17 21 You got all the hard parts over.

13:17 22 Well, let's see. Let me try it this way.

13:17 23 Did he touch you with his nose?

13:17 24 KATHRYN SPENCER: (Nodding side to side).

Videotaped Interview of: KATHRYN SPENCER

41

13:17 1 JAMES PETERS: Did he touch you with his
13:17 2 mouth?
13:17 3 KATHRYN SPENCER: (Nodding side to side).
13:17 4 JAMES PETERS: Did he touch you with his
13:17 5 chest?
13:17 6 KATHRYN SPENCER: (Nodding side to side).
13:17 7 JAMES PETERS: Did he touch you with his
13:17 8 belly button?
13:17 9 KATHRYN SPENCER: (Nodding side to side).
13:17 10 JAMES PETERS: Did he touch you with his
13:17 11 wiener?
13:17 12 KATHRYN SPENCER: (Nodding up and down).
13:17 13 JAMES PETERS: Yeah? Okay.
13:17 14 Did he touch you with his knees?
13:17 15 KATHRYN SPENCER: (Nodding side to side).
13:17 16 JAMES PETERS: Did he touch you with his
13:17 17 feet?
13:17 18 KATHRYN SPENCER: (Nodding side to side).
13:17 19 JAMES PETERS: Did he touch you with his
13:17 20 fingers?
13:17 21 KATHRYN SPENCER: (Nodding side to side).
13:17 22 JAMES PETERS: Uh-uh?
13:17 23 KATHRYN SPENCER: (Nodding side to side).
13:17 24 JAMES PETERS: Just with his wiener; is that

Videotaped Interview of: KATHRYN SPENCER

42

13:17 1 right?

KATHRYN SPENCER: (Nodding up and down).

13:17 2
13:17 3 JAMES PETERS: Okay. Let's see. I've got to figure out now where he touched you with his wiener.

13:17 4
13:17 5 Did he touch you on your feet with his wiener?

13:17 6 KATHRYN SPENCER: (Nodding side to side).

13:17 7 JAMES PETERS: Did he touch you on your 8
13:17 9 knees?

13:17 10 KATHRYN SPENCER: (Nodding side to side).

13:17 11 JAMES PETERS: Did he touch you on your 12
13:18 12 pee-pee?

13:18 13 KATHRYN SPENCER: (Nodding up and down).

13:18 14 JAMES PETERS: Okay. Did he touch -- is that 15
13:18 15 a yes?

13:18 16 KATHRYN SPENCER: (Nodding up and down).

13:18 17 JAMES PETERS: All right. Did he touch you 18
13:18 18 on your belly button?

13:18 19 KATHRYN SPENCER: (Nodding side to side).

13:18 20 JAMES PETERS: Did he touch you on your 21
13:18 21 boobies?

13:18 22 KATHRYN SPENCER: (Nodding side to side).

13:18 23 JAMES PETERS: Did he touch you on your 24
13:18 24 mouth?

KATHRYN SPENCER: (Nodding side to side).

Videotaped Interview of: KATHRYN SPENCER

43

- 13:18 1 JAMES PETERS: Is that a no?
- 13:18 2 KATHRYN SPENCER: (Nodding side to side).
- 13:18 3 JAMES PETERS: Touch you on your eyes?
- 13:18 4 KATHRYN SPENCER: (Nodding side to side).
- 13:18 5 JAMES PETERS: Touch you on your hair?
- 13:18 6 KATHRYN SPENCER: (Nodding side to side).
- 13:18 7 JAMES PETERS: Can you show me how he touched
- 13:18 8 you with his wiener with the dolls?
- 13:18 9 KATHRYN SPENCER: (Nodding side to side).
- 13:18 10 DEANNE SPENCER: Take my hand; I'll do it.
- 13:18 11 KATHRYN SPENCER: Uh-uh.
- 13:18 12 DEANNE SPENCER: You only have to do it this
- 13:18 13 one more time, remember?
- 13:18 14 JAMES PETERS: Okay. Were you sitting up or
- 13:18 15 lying down or standing up; which of the three? Were
- 13:18 16 you sitting like this (position dolls)?
- 13:18 17 KATHRYN SPENCER: (Nodding side to side).
- 13:18 18 JAMES PETERS: Were you standing like this
- 13:18 19 (positioning dolls)?
- 13:18 20 KATHRYN SPENCER: (Nodding side to side).
- 13:18 21 JAMES PETERS: Were you bending over like
- 13:18 22 this (positioning dolls)?
- 13:18 23 KATHRYN SPENCER: (Nodding side to side).
- 13:18 24 JAMES PETERS: Were you lying down like

Videotaped Interview of: KATHRYN SPENCER

44

13:18 1 this --

13:18 2 KATHRYN SPENCER: (Nodding up and down).

13:18 3 JAMES PETERS: -- on your front (positioning
13:18 4 dolls)?

13:18 5 KATHRYN SPENCER: (Nodding side to side).

13:18 6 JAMES PETERS: Were you lying down like this
13:19 7 on your back (positioning dolls)?

13:19 8 KATHRYN SPENCER: (Nodding up and down).

13:19 9 JAMES PETERS: Okay. Were your legs together
13:19 10 like that or were they like something else?

13:19 11 Okay. You already told me you were lying on
13:19 12 your back, right?

13:19 13 KATHRYN SPENCER: (Nodding up and down).

13:19 14 JAMES PETERS: Okay. Show me how your legs
13:19 15 were.

13:19 16 KATHRYN SPENCER: (Positions dolls' legs).

13:19 17 JAMES PETERS: Just like that?

13:19 18 KATHRYN SPENCER: (Nodding up and down).

13:19 19 JAMES PETERS: I can't tell if that's a yes
13:19 20 or a no.

13:19 21 KATHRYN SPENCER: (Nodding up and down).

13:19 22 JAMES PETERS: Okay. Show me how your daddy
13:19 23 was. Was he standing up (positioning dolls)?

13:19 24 KATHRYN SPENCER: (Nodding side to side).

Videotaped Interview of: KATHRYN SPENCER

45

13:19 1 JAMES PETERS: Was he standing on his head
 13:19 2 (positioning dolls)?

13:19 3 KATHRYN SPENCER: (Nodding side to side).

13:19 4 JAMES PETERS: Was he on his knees
 13:19 5 (positioning dolls)?

13:19 6 KATHRYN SPENCER: (Nodding side to side).

13:19 7 JAMES PETERS: Was he on his back
 13:19 8 (positioning dolls)?

13:19 9 KATHRYN SPENCER: (Nodding side to side).

13:19 10 JAMES PETERS: Was he on his front like this
 13:19 11 (positioning dolls)?

13:19 12 KATHRYN SPENCER: (Nodding side to side).

13:19 13 JAMES PETERS: How was he? I can't think of
 13:19 14 any other guesses. If I haven't got it right, you've
 13:20 15 got to show me.

13:20 16 KATHRYN SPENCER: (Nodding side to side).

13:20 17 JAMES PETERS: Hmmm. Gosh darn it.

13:20 18 I wish I had been in Sacramento so I could've
 13:20 19 seen you tell Sharon.

13:20 20 How are you doing? Whatcha thinking about?
 13:20 21 You're doing real good so far.

13:21 22 How about if you take my hand and have me
 13:21 23 move the dolls the way you were.

13:21 24 KATHRYN SPENCER: (Nodding side to side).

Videotaped Interview of: KATHRYN SPENCER

46

13:21 1 JAMES PETERS: Why don't you do it and show
13:21 2 me.

13:21 3 KATHRYN SPENCER: (Nodding side to side).

13:21 4 DEANNE SPENCER: Are you sleepy?

13:21 5 JAMES PETERS: Okay. I think we should take
13:21 6 a break now. I think you are getting pretty tired,
13:21 7 huh? Let's take a break and go get a drink of water
13:21 8 or something, all right.

13:21 9 (Whereupon, a break in the
13:21 10 video interview was had,
13:21 11 after which the following
13:21 12 proceedings were had:)

13:21 13 JAMES PETERS: Okay. The camera is rolling
13:21 14 again. And while the camera was off, Kati, you showed
13:21 15 me some things with the dolls, didn't you?

13:21 16 KATHRYN SPENCER: Yes. It's going to take a
13:21 17 picture by itself now.

13:22 18 JAMES PETERS: Yeah. There isn't anybody
13:22 19 over there now. It's just going to take a picture all
13:22 20 by itself.

13:22 21 KATHRYN SPENCER: It is?

13:22 22 JAMES PETERS: Yeah. It's taking a picture
13:22 23 right now.

13:22 24 KATHRYN SPENCER: No, it isn't.

Videotaped Interview of: KATHRYN SPENCER

47

13:22 1 DEANNE SPENCER: Say hi.

13:22 2 KATHRYN SPENCER: No.

13:22 3 DEANNE SPENCER: Okay.

13:22 4 JAMES PETERS: So what I would like you to do

13:22 5 is show me now while the camera is going what you

13:22 6 showed me while the camera was off.

13:22 7 First, I want you to tell me who these dolls

13:22 8 are again. We did it once.

13:22 9 This is who (indicating)?

13:22 10 KATHRYN SPENCER: Oh.

13:22 11 JAMES PETERS: Just say the name.

13:22 12 KATHRYN SPENCER: Kati and Ray.

13:22 13 JAMES PETERS: All right. Would you show me

13:22 14 what you showed me, what Ray did.

13:22 15 KATHRYN SPENCER: (Sighs).

13:22 16 (Positioning dolls).

13:22 17 JAMES PETERS: Okay. What else did Ray do?

13:22 18 KATHRYN SPENCER: (Positioning dolls).

13:22 19 JAMES PETERS: What else? Anything else?

13:22 20 KATHRYN SPENCER: I forgot that last thing.

13:22 21 DEANNE SPENCER: Just think --

13:22 22 JAMES PETERS: Just think about what

13:22 23 happened.

13:23 24 Where did this stuff happen?

Videotaped Interview of: KATHRYN SPENCER

48

13:23 1 KATHRYN SPENCER: By the house on the river

13:23 2 in the living room.

13:23 3 JAMES PETERS: Okay. And is this on the

13:23 4 floor, on the couch or on the bed or on the chair?

13:23 5 KATHRYN SPENCER: On the floor.

13:23 6 JAMES PETERS: Okay. Show me what else

13:23 7 happened.

13:23 8 KATHRYN SPENCER: (Positioning dolls).

13:23 9 JAMES PETERS: Okay.

13:23 10 KATHRYN SPENCER: (Sighs).

13:23 11 JAMES PETERS: Was that hard for you to do?

13:23 12 KATHRYN SPENCER: No.

13:23 13 JAMES PETERS: It was pretty easy, wasn't it?

13:23 14 KATHRYN SPENCER: That was quick.

13:23 15 JAMES PETERS: Uh-huh. Well --

13:23 16 DEANNE SPENCER: Is there anything else?

13:23 17 JAMES PETERS: Do you remember anything about

13:23 18 Ray's pee-pee when this was going on?

13:23 19 KATHRYN SPENCER: Nope.

13:23 20 JAMES PETERS: Was it hanging down like this

13:23 21 (indicating with finger) or was it doing something

13:23 22 else?

13:23 23 KATHRYN SPENCER: No. Like that.

13:23 24 JAMES PETERS: Was it? Are you sure? Are

Videotaped Interview of: KATHRYN SPENCER

49

13:23 1 you sure? You are looking at me kind of funny.

13:24 2 KATHRYN SPENCER: Yes.

13:24 3 JAMES PETERS: Okay. Did you see anything
13:24 4 come out of his pee-pee?

13:24 5 KATHRYN SPENCER: No.

13:24 6 JAMES PETERS: Or out of his wiener, I mean?

13:24 7 KATHRYN SPENCER: No.

13:24 8 JAMES PETERS: Okay. Did Ray say anything to
13:24 9 you while this was going on?

13:24 10 KATHRYN SPENCER: No.

13:24 11 JAMES PETERS: What does Ray call you?

13:24 12 KATHRYN SPENCER: Um, I don't know.

13:24 13 Sugar Bear.

13:24 14 JAMES PETERS: Sugar Bear? Hey, did Ray tell
13:24 15 you something about your bottom?

13:24 16 KATHRYN SPENCER: No.

13:24 17 JAMES PETERS: Are you sure?

13:24 18 KATHRYN SPENCER: Yes, I'm sure.

13:24 19 JAMES PETERS: Did you tell Sharon he said
13:24 20 something about your bottom?

13:24 21 KATHRYN SPENCER: No.

13:24 22 JAMES PETERS: You don't remember, or no?

13:24 23 KATHRYN SPENCER: No, no, no.

13:24 24 JAMES PETERS: What else does Ray call you

Videotaped Interview of: KATHRYN SPENCER

50

13:24 1 besides Sugar Bear?

13:24 2 KATHRYN SPENCER: Nothing.

13:24 3 JAMES PETERS: All right. When he did those
13:24 4 things that you just showed me, was anybody else

13:25 5 there?

13:25 6 KATHRYN SPENCER: No.

13:25 7 JAMES PETERS: Was anybody else asleep?

13:25 8 KATHRYN SPENCER: Yes.

13:25 9 JAMES PETERS: Who?

13:25 10 KATHRYN SPENCER: Matt and Little Matt.

13:25 11 JAMES PETERS: Were they -- where were they
13:25 12 when they were asleep?

13:25 13 KATHRYN SPENCER: (Pointing) up the stairs.

13:25 14 JAMES PETERS: Up the stairs, oh, In what
13:25 15 room?

13:25 16 KATHRYN SPENCER: Our room. What do you
13:25 17 think?

13:25 18 JAMES PETERS: I don't know. I wasn't there.
13:25 19 Didn't you tell me before that they were on
13:25 20 the living room floor asleep?

13:25 21 KATHRYN SPENCER: They were in the living
13:25 22 room.

13:25 23 JAMES PETERS: Were they upstairs or were
13:25 24 they on the living room floor?

Videotaped Interview of: KATHRYN SPENCER

51

13:25 1 KATHRYN SPENCER: On the living room floor.

13:25 2 JAMES PETERS: How come you told me they were

13:25 3 upstairs, huh? Did you forget?

13:25 4 KATHRYN SPENCER: (Laughing) yes.

13:25 5 JAMES PETERS: Okay. That's fine.

13:25 6 Well, do you remember, before this time that

13:25 7 you just told me about, did Ray do that to you before?

13:25 8 KATHRYN SPENCER: No.

13:25 9 JAMES PETERS: Did he ever put his pee-pee in

13:25 10 your --

13:25 11 KATHRYN SPENCER: No.

13:26 12 JAMES PETERS: -- his wiener in your pee-pee

13:26 13 before?

13:26 14 KATHRYN SPENCER: No.

13:26 15 JAMES PETERS: Did he ever put his mouth on

13:26 16 you before like you showed me?

13:26 17 KATHRYN SPENCER: No.

13:26 18 JAMES PETERS: Are you sure? Hmmm?

13:26 19 KATHRYN SPENCER: Yes, I'm sure.

13:26 20 JAMES PETERS: Okay. Has anybody else ever

13:26 21 done that?

13:26 22 KATHRYN SPENCER: No.

13:26 23 JAMES PETERS: You told Sharon -- excuse me,

13:26 24 not Sharon -- Shirley that some other people had done

Videotaped Interview of: KATHRYN SPENCER

52

13:26 1 that like Karen and Matt.

13:26 2 KATHRYN SPENCER: They didn't really.

13:26 3 JAMES PETERS: How come you told them Shirley
13:26 4 had?

13:26 5 KATHRYN SPENCER: Because I told her that.

13:26 6 JAMES PETERS: Well, how come?

13:26 7 KATHRYN SPENCER: Because I told her that.

13:26 8 JAMES PETERS: Let's not be ruining the
13:26 9 chair. Just sit up a little bit, just a little.

13:26 10 DEANNE SPENCER: Just a little bit.

13:26 11 JAMES PETERS: It's okay. But I just wanted
13:26 12 to know how come you told her that.

13:26 13 KATHRYN SPENCER: Because.

13:26 14 JAMES PETERS: There was a reason, wasn't
13:26 15 there?

13:26 16 KATHRYN SPENCER: No.

13:26 17 JAMES PETERS: You told Sharon a reason.
13:26 18 Was it true that Ray did it?

13:27 19 KATHRYN SPENCER: Why would I -- well, why
13:27 20 would I be here if it didn't really happen?

13:27 21 JAMES PETERS: I'm sure I don't know.

13:27 22 KATHRYN SPENCER: (Laughing).

13:27 23 DEANNE SPENCER: Don't kick the chair,
13:27 24 please.

Videotaped Interview of: KATHRYN SPENCER

53

13:27 1 JAMES PETERS: But there was -- was there a
 13:27 2 reason why you told Shirley that Karen and those other
 13:27 3 people did it too?

13:27 4 KATHRYN SPENCER: Nope.

13:27 5 JAMES PETERS: Well, why do you suppose you
 13:27 6 did?

13:27 7 KATHRYN SPENCER: Because I feel like it, I
 13:27 8 did.

13:27 9 JAMES PETERS: Were you worried about Shirley
 13:27 10 feeling bad?

13:27 11 KATHRYN SPENCER: No. I hate Shirley.

13:27 12 JAMES PETERS: Why?

13:27 13 KATHRYN SPENCER: She's dumb. She's a brat.

13:28 14 JAMES PETERS: Why do you say that?

13:28 15 KATHRYN SPENCER: Because she is a brat.

13:28 16 JAMES PETERS: What does she do that makes
 13:28 17 you think she's a brat?

13:28 18 KATHRYN SPENCER: She always comes home and
 13:28 19 sends us to bed.

13:28 20 JAMES PETERS: She always comes home and
 13:28 21 sends you to bed, huh? My goodness.

13:28 22 KATHRYN SPENCER: Doesn't that sound like a
 13:28 23 brat to you?

13:28 24 JAMES PETERS: I don't know. Does your mom

Videotaped Interview of: KATHRYN SPENCER

54

13:28 1 come home and send you to bed?

13:28 2 KATHRYN SPENCER: Not when she first gets
13:28 3 home. We have dinner. I take a bath. And then we
13:28 4 put our pajamas on, and then we go to bed.

13:28 5 JAMES PETERS: I see. Is it different at
13:28 6 Shirley's house?

13:28 7 KATHRYN SPENCER: Yes.

13:28 8 JAMES PETERS: How so?

13:28 9 KATHRYN SPENCER: I don't know.

13:28 10 JAMES PETERS: When you came up last summer,
13:28 11 were you afraid to come up here? Did you want to come
13:28 12 up here?

13:28 13 KATHRYN SPENCER: (Looks up at DeAnne
13:28 14 Spencer).

13:28 15 Did I?

13:28 16 DeANNE SPENCER: Remember? You tell the
13:28 17 truth.

13:28 18 KATHRYN SPENCER: I don't remember.

13:28 19 JAMES PETERS: Okay. It was a long time ago,
13:29 20 wasn't it?

13:29 21 KATHRYN SPENCER: (Nodding up and down).

13:29 22 JAMES PETERS: Let's see. You were four or
13:29 23 five then?

13:29 24 KATHRYN SPENCER: I was five.

Videotaped Interview of: KATHRYN SPENCER

55

13:29 1 JAMES PETERS: Five. You're going to be six
 13:29 2 pretty soon, aren't you?

13:29 3 KATHRYN SPENCER: Yes.

13:29 4 DEANNE SPENCER: Stop.

13:29 5 JAMES PETERS: Well...

13:29 6 KATHRYN SPENCER: Well what?

13:29 7 JAMES PETERS: Well, I just want to know if
 13:29 8 you remember Ray doing any other things to you before
 13:29 9 this?

13:29 10 KATHRYN SPENCER: Nope.

13:29 11 JAMES PETERS: You don't remember?

13:29 12 KATHRYN SPENCER: He didn't.

13:29 13 JAMES PETERS: Was this the very first time?

13:29 14 KATHRYN SPENCER: Yes.

13:29 15 JAMES PETERS: When he did that to you, did
 13:29 16 he say anything to you?

13:29 17 KATHRYN SPENCER: No.

13:29 18 JAMES PETERS: How about afterwards?

13:29 19 KATHRYN SPENCER: No.

13:29 20 JAMES PETERS: Did he tell you anything about
 13:29 21 telling people about it?

13:29 22 KATHRYN SPENCER: No.

13:29 23 JAMES PETERS: Did he tell you not to?

13:29 24 KATHRYN SPENCER: Yes, yes, yes, yes.

Videotaped Interview of: KATHRYN SPENCER

56

13:29 1 JAMES PETERS: Oh, what did he tell you?
13:30 2 "Yes, yes, yes, yes."
13:30 3 What did he tell you?
13:30 4 KATHRYN SPENCER: (Laughing).
13:30 5 JAMES PETERS: Hmmm?
13:30 6 KATHRYN SPENCER: Nothing.
13:30 7 JAMES PETERS: Did you tell -- did he tell
13:30 8 you anything about telling other people?
13:30 9 KATHRYN SPENCER: I don't know.
13:30 10 JAMES PETERS: Sounded like you remembered
13:30 11 just a minute ago.
13:30 12 KATHRYN SPENCER: I didn't remember.
13:30 13 JAMES PETERS: Did he tell you not to tell
13:30 14 other people?
13:30 15 KATHRYN SPENCER: Yes.
13:30 16 JAMES PETERS: Oh, okay. It was real good of
13:30 17 you to tell, though. Do you know that?
13:30 18 KATHRYN SPENCER: (Nodding up and down).
13:30 19 JAMES PETERS: Do you know why?
13:30 20 KATHRYN SPENCER: No, I don't know why.
13:30 21 JAMES PETERS: So maybe we can help Ray get
13:30 22 some help so he won't do that again. Right?
13:30 23 KATHRYN SPENCER: Right.
13:30 24 JAMES PETERS: Well, let me -- let me see if

Videotaped Interview of: KATHRYN SPENCER

57

13:30 1 I remember exactly what he said -- what he did to you.

13:30 2 Would you show me one more time so I'm sure I got it.

13:31 3 KATHRYN SPENCER: Oh, my God.

13:31 4 JAMES PETERS: And then we'll turn the camera
13:31 5 off and we'll stop, okay?

13:31 6 KATHRYN SPENCER: And that will be the end of
13:31 7 it.

13:31 8 JAMES PETERS: And that will be the end of
13:31 9 it.

13:31 10 KATHRYN SPENCER: And I will be so glad.

13:31 11 JAMES PETERS: I bet you will. Okay.

13:31 12 KATHRYN SPENCER: (Positioning doll on back).

13:31 13 JAMES PETERS: Okay.

13:31 14 KATHRYN SPENCER: (Placing one doll atop
13:31 15 another doll).

13:31 16 JAMES PETERS: Is his wiener in your pee-pee
13:31 17 there?

13:31 18 KATHRYN SPENCER: (Nodding up and down).

13:31 19 JAMES PETERS: Yeah? Okay.

13:31 20 KATHRYN SPENCER: (Positioning dolls).

13:31 21 JAMES PETERS: Okay. Just a minute. Let me
13:31 22 ask you a question about that. Did his wiener go in
13:31 23 your mouth?

13:31 24 KATHRYN SPENCER: (Nodding up and down).

Videotaped Interview of: KATHRYN SPENCER

58

- 13:31 1 JAMES PETERS: Did he keep it in there very
- 13:31 2 long?
- 13:31 3 KATHRYN SPENCER: (Nodding side to side).
- 13:31 4 JAMES PETERS: Uh-uh?
- 13:31 5 KATHRYN SPENCER: (Positioning dolls).
- 13:31 6 JAMES PETERS: What's he doing here? Is this
- 13:31 7 your butt here?
- 13:31 8 KATHRYN SPENCER: (Nodding up and down).
- 13:31 9 JAMES PETERS: Did he put his wiener in your
- 13:31 10 butt?
- 13:31 11 KATHRYN SPENCER: (Nodding up and down).
- 13:31 12 JAMES PETERS: Oh. How did it feel?
- 13:32 13 KATHRYN SPENCER: (Shrugging).
- 13:32 14 JAMES PETERS: How did it feel when he put
- 13:32 15 his wiener in your pee-pee?
- 13:32 16 KATHRYN SPENCER: I don't remember.
- 13:32 17 JAMES PETERS: Okay.
- 13:32 18 KATHRYN SPENCER: Do the splits (playing with
- 13:32 19 dolls).
- 13:32 20 JAMES PETERS: Can you remember anything
- 13:32 21 else?
- 13:32 22 KATHRYN SPENCER: No.
- 13:32 23 JAMES PETERS: And did all this happen last
- 13:32 24 summer when you were up here?

Videotaped Interview of: KATHRYN SPENCER

59

- 13:32 1 KATHRYN SPENCER: Did it happen last summer?
- 13:32 2 JAMES PETERS: Your mom wasn't there.
- 13:32 3 DeANNE SPENCER: I wasn't there.
- 13:32 4 JAMES PETERS: She doesn't know.
- 13:32 5 KATHRYN SPENCER: You were there before I
- 13:32 6 even went up there.
- 13:32 7 DeANNE SPENCER: No.
- 13:32 8 KATHRYN SPENCER: You were up there before I
- 13:32 9 even started to go up there.
- 13:32 10 DeANNE SPENCER: We lived up there, uh-huh.
- 13:32 11 KATHRYN SPENCER: When Daddy used to lie to
- 13:32 12 you every day; Sunday, Monday, Wednesday, Friday,
- 13:32 13 Saturday.
- 13:32 14 DeANNE SPENCER: Okay. But we need to find
- 13:32 15 out, did it happen before this last summer?
- 13:32 16 KATHRYN SPENCER: No, no, no.
- 13:32 17 JAMES PETERS: Okay. Do you want to help me
- 13:32 18 turn the camera off?
- 13:32 19 KATHRYN SPENCER: Yes.
- 13:32 20 JAMES PETERS: All right. Let's go right
- 13:32 21 over here, and there's a button that says Stop right
- 13:32 22 there. Why don't you push that one right there.
- 13:32 23 KATHRYN SPENCER: This one (indicating)?
- 13:32 24 JAMES PETERS: Yeah.

To: Kathleen Zellner

From: David Pitt

Page 2 of 27

Date: 2012-12-17 23:10:07 (GMT)

12088225630 From: David Pitt

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Jeffrey M. White, Clerk, Clark Co.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

FOR THE COUNTY OF CLARK

PRINCE AGBONZE,

Case No. 96-2-05516-0

Plaintiff,

C-TRAN; and SHIRLEY SPENCER,

PLAINTIFF'S TRIAL
MEMORANDUM

Defendants.

17

18

19

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21

22

23

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25

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Page

DUSSE & HUNT
Name or Law Firm
521 AMERICAN BANK BUILDING
621 S.W. MORRISON STREET
PORTLAND, OREGON 97204
TELEPHONE: (503) 248-0504

586

Spencer006055